

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 6, 2011

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on December 28, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 5, 2011 in the amount of **\$ 305,649.14** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Case; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of December 29 – January 5, 2011
- Report from the Building Inspector's Office from June 18 – December 21, 2010
- Report from the Building Inspector's Office from January 3, 2011

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 1,654,664.66 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL: None**

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**7. OTHER ITEMS:**

**Motion to remove item 7A from the Table.**

By Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
**ACTION TAKEN:** Adopted

**A. Motion to amend the Mayor's 2011 budget** to add \$140,000 to the Retirement Reserve Appropriation in anticipation of another increase in the 2011-2012 retirement year expense and to include the \$360,585.45 current General Fund Retirement Reserve balance as an income item to the Reserve Fund Estimated Revenue for a net decrease in the Mayor's Budget of \$220,585.45.

By Councilor Calnon; Seconded by Councilor Jackson  
Discussion: None  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
[Requires 4 affirmative Council votes; Mayor cannot break tie.]  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted  
Follow up Action: None

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**Motion to remove item 7B from the Table.**

By Councilor Calnon; Seconded by Councilor Carpenter  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)  
**ACTION TAKEN:** Adopted

Discussion:

**Councilor Calnon made a motion to postpone until after our initial consideration.**

By Councilor Calnon; Seconded by Councilor Carpenter

**Councilor Jackson** said wouldn't it make more sense to postpone this until next week. Because even if something under initial is moved we're not going to have the number until Richard's able to calculate it.

**Mayor Kasprzak** said that is the correct decision, I am not trying to intervene, but that would help Richard more as our Chamberlain. **Councilor Calnon** are you upset with that?

**Councilor Calnon** said no I thought that we actually had considered the worse case scenario. My point would be if we approved the addition of the information technology position and that was already in the consideration then we would have the number tonight. If it was not approved and required some recalculations then we would be able to just leave it on the table for another week.

**Councilor Jackson** said we did come up in the discussion with a worse case scenario and there is a number we could put in there. I mean the worse case scenario is \$1,295,000 it's a \$45,000 increase, but, that's what we had on Tuesday. As I said between last meeting and this meeting things change so I am not particularly keen on throwing a number in here until we actually have all the changes to the budget done.

**Councilor Carpenter** said Richard Marks does it matter to you one way or the other would one way be better for you. You're going to be the guy figuring it.

**City Chamberlain Richard Marks** said the actual number right now in the Mayor's budget is \$1,330,000 so forth and so on right now we don't have an exact number we can put down. If it's legitimate to say up to \$1,300,000 but next week in the actual budget resolution when I get done all the calculations and have all the numbers to give a total City budget, total Capital expenditures. I'll know the exact number that we have to appropriate to balance the budget for next year and that will be in that budget resolution.

**Mayor Kasprzak** said is their support to put it off for another week.

**Councilor Calnon will withdraw his motion to postpone and recommend we return it to the table until next week January 13, 2011.**

By Councilor Calnon; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**B. Motion to amend the Mayor's 2011 budget** to define the amount of unappropriated Fund Balance to reduce tax levy.

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
[Requires 4 affirmative Council votes; Mayor cannot break tie.]  
(All voted in the affirmative)

**ACTION TAKEN:** Tabled

Follow up Action: None

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**C. THE MAYOR HANDS DOWN THE PERMANENT APPOINTMENT OF MIKEAL STOUTENGER TO THE POSITION OF WATER TREATMENT PLANT OPERATOR TRAINEE EFFECTIVE JANUARY 18, 2011.**

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. THE MAYOR HANDS DOWN THE APPOINTMENT OF JIM ACKERMAN TO THE POSITION OF FIREFIGHTER EFFECTIVE JANUARY 7, 2011.**

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. Authorization to Sign Application for Worker's Compensation Insurance**

**RESOLVED:** The Mayor is authorized to sign an application to purchase worker's compensation insurance from the New York State Insurance Fund for city officers and employees.

By Councilor Case; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**F. RESOLVED:** the Common Council, the Mayor and the Corporation Counsel being the elected officials, executive officer and appointed officer of the City of Plattsburgh be included in the workers' compensation coverage provided for the City of Plattsburgh employees as is required to be certified by Section 54, Subdivision 6 of the NYS Workers' Compensation Laws.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**G. Motion to waive rule 4 for initial consideration** “Request from Police Chief Desmond Racicot to extend the workers compensation leave with benefits of Officer Levi Ritter who is out on a work related injury. This is to extend his benefits 12 weeks, until 04/01/11,” “Motion to amend the Mayor’s 2011 budget to add \$48,000 to the General Fund to reflect the addition of a System Administration (IT) position; the fringe benefit entries will be reflected in the final 2011 Council budget. The cost of this position will be allocated to the city departments utilizing the service.”

By Councilor Calnon; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**RESOLVED:** In accordance with the request therefore the Common Council approves to extend the workers compensation leave with benefits of Officer Levi Ritter who is out on a work related injury. This is to extend his benefits 12 weeks, until 04/01/11.

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

**Motion to amend the Mayor’s 2011 budget** to add \$48,000 to the General Fund to reflect the addition of a System Administration (IT) position; the fringe benefit entries will be reflected in the final 2011 Council budget. The cost of this position will be allocated to the city departments utilizing the service.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion:

**Councilor Carpenter** said personally I’m pretty happy with it the way it sits right now.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **8. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves Jon Ruff Environmental Manager to attend the “New York Water Environment Association 2011 Annual Meeting” in New York City, NY from February 7 - 9, 2011 at a cost not to exceed \$1,597.

By Councilor Case; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Request from the City Chamberlain to revise capital project 2005 GIS Project (Project H5110.13) to include \$12,461 of additional funding from the NYS Archives Grant for spending to complete the project.
2. Recommendation from City Engineer Kevin Farrington that Fountains Spatial Inc be awarded the “Phase 2 GIS Implementation” for a total cost of \$12,400.
3. Request from Police Chief Desmond Racicot to extend the workers compensation leave with benefits of Officer Levi Ritter who is out on a work related injury. This is to extend his benefits 12 weeks, until 04/01/11. **(Move to agenda under “Other Items” Letter G)**
4. Motion to amend the Mayor’s 2011 budget to add \$48,000 to the General Fund to reflect the addition of a System Administration (IT) position; the fringe benefit entries will be reflected in the final 2011 Council budget. The cost of this position will be allocated to the city departments utilizing the service. **(Move to agenda under “Other Items” Letter G)**
5. Request from Fire Chief Paul Williams to attend the “New York State Career Chiefs Meeting” in Cohoes, NY on January 24-25, 2011. The cost will not exceed \$350.

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## **10. NEW BUSINESS:**

**Councilor Calnon** said I just want to summarize once again some of the things that Chris said earlier. Our intent here with utilizing the now available additional unappropriated fund balance is that during our Council budget sessions it was very clear that we wanted to produce a tax rate that was no higher than what the Mayor had proposed and that was at \$10.40 per \$1000. That really is what we are expecting the Chamberlain will bring us back next week is a \$10.40 tax rate and utilizing enough of our own unappropriated fund balances to be sure that balances the budget. I think that’s decent work, its not great work, great work would be if we could have got it back down to the \$10.20. But there is something really particular about this \$10.40 that I think is very important and I want to mention it tonight. Three years ago the HMO’s for the city the health maintenance plans which comprised a substantial number of the health plans for our employees were facing a major price increase. I think it was 26% or 27% was the projection that year and

that was for purchasing this HMO product from an insurance company. At the time First Niagara our health care administrator said since the HMO people tend to be the younger, healthier folks we are pretty sure if we move them to self funding, self funding just means the city would actually pay the actual cost of benefits rather than paying a premium, they still get all processed by Blue Shield but we're not paying the going rate we're paying the actual expenditures. They said that in that year we can do that with a 9% reduction versus a 27% increase. So the difference that year was 36% a pretty substantial amount of money. The presentation was actually made to the health care task force and I had just joined with the labor union leaders that had been working on the task force for awhile and was really pleased that it was received quite well. We had very good feedback from 4 of our unions. We had one that never really expressed an opinion about it during months of discussion and really reached a conclusion in May, I thought it was unanimous conclusion, based on the conversation it was that this was a good move to make and that everybody would move. Because frankly if you're paying 15% of your own health care, as many people were, it's a benefit to the employees as well as a benefit to the taxpayers. So as we get ready to actually implement it September 1<sup>st</sup> we were told that the fire department didn't believe that they would do this outside of their regular collective bargaining. Certainly their right had no problem with that we made the change for everybody else. The fact that nobody said anything until the last couple days of August for the September 1<sup>st</sup> date, I thought was unethical, but, they exercised their right it's just that simple. So we took another shot at it let's take another look. The fire department contract actually says that any health care program that's offered to any union in the city is automatically available to the firefighters. So now that AFSCME, Library, MLD and Police had joined in firefighters were free to make the switch if they wanted to and a number of them did. We changed happily the representative on the health care task force shortly there after and then new union president sat in and actually he had already changed. To complete that picture the new union president also made the switch so this isn't a union management issue it really is an individual issue. I want to be clear I'm not complaining about the union they exercised their rights and then the individuals who work in the fire houses exercised their rights. So over the course of the last couple years we continued to work on this. We sent information that said this is how much it is costing you and by the way most of the firefighters are paying 15% there is very few left who are not. So they kind of get it, I'm saving myself money; I'm saving the taxpayers money. So a number of them did switch but at the beginning of December there were still 12 people who were in the insurance company HMO. One retiree and 11 active firefighters, so Karen Rulfs of First Niagara and I met with each of the 4 platoons in the firehouse and explained the benefits. What we are really talking about is exactly the same benefits, exactly the same HMO benefits, exactly the same co-pays, exactly the same every detail. There is absolutely no difference in coverage just a difference in cost. And the reason it got really important is because the insurance company was raising the rates by another 26%. Now it is a substantial difference I'm just going to give you the raw number, for a family coverage in the Blue Shield HMO it costs \$27,000 a year. For the exact same coverage someone who participates HMO that we self fund it cost us \$17,000 a \$10,000 difference. Now frankly I don't much care if someone wants to pay \$1.60 for \$1.00 cup of coffee if they are using their own money, but their not, their using the taxpayers money. Because even if they are paying 15% as I say all but 2 of the individuals I talked about are paying. So we explained it to all the members here's what it is, what's your concerns, why wouldn't you switch, what fear would you have. One guy says it's the same benefits it will save me \$40 a week it's a no brainer. Well, 3 of them did switch 9 of them did not, 8 active firefighters did not. And I'm really concerned about that and I'm concerned about it because that's going to cost us \$63,000 more than it should. Its going to cost those guys in family coverage \$1500 a year each remember it's a \$10,000 a year difference they're paying 15% its \$1547 that those people are going to pay in extra coverage and if they want to spend their money needlessly that's fine with me but they're spending \$8,500 of taxpayer money at the same time. Obviously folks who are in single coverage the

numbers are smaller the percentages are the same. In total the fact that these 9 firefighters and retiree are going to cost us \$63,000 in this budget. The tax rate is \$10.40. We could have produced exactly the same budget that were talking about with exactly the same additions and exactly the same use of unappropriated fund balance at \$10.33 a \$1,000. Its 7 cents difference in the tax rate because these 9 people want to waste the taxpayer's money. So I had contemplated offering a budget amendment that would have removed \$63,000 from the fire departments budget, but, there's 37 active firefighters in those buildings and I don't want to punish 29 of them because 8 of them don't know what they're talking about. That 8 of them would, actually it was reported to me that a firefighter said that he didn't care how much more he had to pay because he was defending the contract, and the contract says you get to choose whatever program you want, defending nothing. There apparently is some sort of a chalk board somewhere where its management one or the Mayor loses this one. But the Mayor didn't lose a thing. The Mayor gets to come to work everyday the Councilors get to come to work everyday. You get paid exactly the same amount whether or not a firefighter is in self funded HMO or in an insurance company premium based HMO. It doesn't make a difference; it makes a difference however to every taxpayer in this city. I recommend that people in the general public when they meet a fireman over the course of the next 6 months ask them, "are you one of the eight that's costing me an extra 7 cents per \$1000 on my tax rate?" I think this is shameful, I'm embarrassed. Frankly, my budget amendment would have been to say if this is the respect these 8 firefighters, please keep in mind I am talking about 8 individuals not the entire group, if these 8 individuals don't care about their constituents and about their residents and their taxpayers then I don't know why the taxpayers should care about them. So I don't know why we should appropriate money for their 8 salaries or the truck they drive or the equipment that they wear. They're going to demand that as a right they're going to demand that as their god given right. But we have a right to get the best bang we can for the buck and frankly I'm ashamed of these guys. I'm proud of the work that the fire department does, I'm proud of the work that the ambulance people do, I'm ashamed of these 8 firefighters and I'm even more ashamed of the 2, one active and one retiree that they're not paying anything. At least people who are shooting themselves in the foot at the same time are getting some justice out of this. I'm absolutely ashamed, it's a crime, I wish there was something we could do about it there's not. I wish we could reduce the tax rate by those 7 cents, but, frankly I've tried conversing, I've tried writing and reporting, I've tried individually sitting down and trying to address fears and concerns and frankly I'm done with these guys. I wish I could give you a list of their names, I wish I had a list of their names I could give you so you could walk up to each one. So I encourage the public, I encourage everyone sitting around this table, when you're talking to a fireman, ask them. Are you one of the 8?

**Mayor Kasprzak** said **Councilor Calnon** has lead a health task force committee with all the union members since he's been here and the savings has been tremendous to the City of Plattsburgh and to the people who have listened. The unions have helped with this; **Councilor Calnon** was there, **Richard Marks** was involved and health care administrators for years. I think it is an absolute disgrace that those individuals would take advantage of the taxpayers to spite **Donny Kasprzak** and **Chief Williams**. I have never been associated with a group of people like this in my entire life and I've worked for New York State, I was a councilor. Everybody thinks that I totally hate or dislike the fire department that is not true, we have outstanding people that work in the fire department. We have an outstanding ambulance service. **Chief Williams** and I, every time there is a fire he called me and this morning and I said how are the guys are they safe. The Chief and I go way back, he was president of the union when I used to fight with him on the Council and if I appointed him as our Chief then I can't be that anti union so that's a bunch of nonsense. The point is **Councilor Calnon** has hit it right on the head there is no reason at all for somebody to receive the



same health care benefit package for \$1547 less the same specific package. Why would you do that, why would you pay more because you dislike the **Mayor**, you dislike the **Chief** and because you totally disrespect the people that pay your salary which are the taxpayers of this community. Again, it's in every department we have wonderful people that give us wonderful service but other than the dislike for some of us and the disrespect for the public and the taxpayers, I don't have another explanation why these people would do it and it makes no sense. It's costing them more money that's the thing that doesn't make sense to me. You can dislike **Donny Kasprzak** or **Chief Williams** or **Jim Calnon** all you want it makes no sense to pay more for the same health care package. I'll tell you this there's some very good solid young hardworking fireman is it fair to go home to your families and say I'm mad at so and so, so I'm going to pay \$1500 more a year for the same thing I can get for this. Those 8 individuals should be ashamed of themselves and I feel very badly for you because you personally have spent hours with these people and they don't dislike you they dislike me. **Paul Williams** has done an outstanding job there and I feel badly for him because the bulk of the people work well with him but there is a group that doesn't and it's for the wrong reasons.

**Councilor Carpenter** said this is to Jim good thoughts by the way do you know out of those 8 how many of them reside in the city and how many reside outside.

**Councilor Calnon** said I don't.

**Mayor Kasprzak** said we can find out. I know that's a sour note in a discussion in your first meeting you two but it's a fact that we deal with and the fact that and the two new councilors will be working very hard throughout this year and then when you have your budget sessions in November 2011. \$63,000 is a lot of money anywhere and when you're talking about the difficult decisions we're making, putting that money in the retirement reserve. You look at \$63,000 for no reason that somebody can't work and cooperate with you there's something wrong with some people that we can't figure out. **Jim** you did an outstanding job working with people for years. I applaud the unions the 4 of them that went with us on this you did an outstanding job as well as other folks Richard was there at every meeting and I applaud those 4 unions. I applaud the firefighters who did switch over you're right they deserve kudos for that but it's an absolute disgrace that 8 of them out of spite wouldn't do it and that's a lot of money.

**Councilor Jackson** said you're locking it in to the premium cost but what we've actually realized in the last year since we've got these contributions and since we've got people in there is if our costs are down they don't even pay their premium for maybe the first few weeks of the year. So it does make no sense for the self funded program.

**Councilor Calnon** said if it was the same as last year just to give you an example that family coverage they would have saved not only that \$1547 that we talked about they would have saved another \$360.

**Councilor Jackson** said when union members participate in this they actually receive a benefit on top of it if they don't use the coverage. We budget a certain amount so you're talking almost \$2,000 and some people maybe able to afford to give away \$2,000 a year but I know there's a lot of people who can't.

**Mayor Kasprzak** said the Snocross is this weekend out at the Crete Center hopefully it's a big event. We're looking at a lot of folks they come in to the community they're spending money in our community. We have

all of our departments most of them are directly involved and have done an outstanding job working with Mike Perrotte and Steve Fuller and his folks and the Snocross folks. Mr Peters is here, Mike Brodi, Mr Treacy was here, Rick Perry's been involved, Chief Racicot, Chief Williams I think I mentioned everyone else. It's going to be quite an event it's going to be a busy place I hope. So I hope you attend. **Councilor Case** apparently according to Joe LoTemplio you made history this evening. When I was on the Council for two terms we had 3 wards only and after we left they expanded them to 6 and you are the first male apparently that has represented **Ward 5**.

**Councilor Case** said on election night I was made aware of that it was always noted as the women's seat and don't forget to show your feminine side once in awhile and we will be watching.

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#### **11. CLOSING PUBLIC COMMENTS:**

**Mike Brodi Superintendent of Public Works** as you know from time to time this **Council** and **Mayor** come under fire from our illustrious Ducky Drake and a few years ago I offered and had a tool made up for the Council to defend themselves without speaking a word to Mr. Drake at all. So **Councilor Case** and **Councilor Tiffer** I am now going to present you with a tool [presented hats to the Councilors that said "Just Ducky"]

**Councilor Jackson** said I would like to extend my congratulations and best wishes to the **Mayor** on his birthday on Saturday.

**Mayor Kasprzak** said thank you very much I appreciate that Chris and while we're doing that my Assistant Beth Carlin's birthday is tomorrow.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**MEETING ADJOURNED:** 6:05 pm